

A regular meeting of the Council of the City of Blue Ash, Ohio, was held on July 12, 2007. Mayor Robert J. Buckman, Jr. called the meeting to order in Council Chambers at 7:00 PM.

OPENING CEREMONIES

Mayor Buckman led those assembled in the Pledge of Allegiance.

ROLL CALL

MEMBERS PRESENT: Councilman Rick Bryan, Mayor Robert Buckman, Councilman Lee Czerwonka, Councilman Henry Stacey, Councilwoman Stephanie Stoller, Councilman James Sumner, and Vice Mayor Mark Weber

ALSO PRESENT: City Manager David Waltz, Deputy Solicitor Bryan Pacheco, Clerk of Council Jamie Eifert, Deputy Clerk of Council Sue Bennett, Treasurer/Administrative Services Director James Pfeffer, Parks & Recreation Director Chuck Funk, Service Director Dennis Albrinck, IT Officer Dan Klapp, Human Resources Officer Margaret Main, Assistant to the City Manager Kelly Osler, and interested citizens

PUBLIC HEARING – 7:00PM – Consideration of the 2008 Tax Budget (Resolution No. 2007-10)

The Clerk of Council was asked to read Resolution No. 2007-10 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2007-10

A RESOLUTION ADOPTING A 2008 TAX BUDGET

Treasurer Jim Pfeffer commented that this resolution and tax budget process is done annually and is required by Hamilton County, though not all counties in Ohio require this process. The Tax Budget as presented to Council was advertised in June and has been available to the public since early July. It essentially represents a carry-forward of the City's existing projects. There being no questions from Council or the public regarding the 2008 Tax Budget, the hearing was declared closed at approximately 7:04PM.

Mayor Buckman appointed Parks & Recreation Director Chuck Funk and Service Director Denny Albrinck to read the legislation in its entirety in the rear of Council Chambers.

ACCEPTANCE OF AGENDA

Councilman Bryan moved, Councilman Czerwonka seconded to accept the agenda. A voice vote was taken. All members present voted yes. Motion carried.

- “1. MEETING CALLED TO ORDER
2. OPENING CEREMONIES
3. ROLL CALL - Clerk of Council Jamie K. Eifert
4. PUBLIC HEARING - 7:00PM - Consideration of the 2008 Tax Budget (Resolution No. 2007-10)
5. APPOINTMENT OF PERSON(S) TO READ ORDINANCES IN FULL IN REAR OF COUNCIL CHAMBERS
6. ACCEPTANCE OF AGENDA
7. APPROVAL OF MINUTES
 - a. Regular Meeting of June 14, 2007

8. COMMUNICATIONS

- a. Communications to Council - Clerk of Council Jamie K. Eifert
- b. Reports From Outside Agencies
- c. Mayor's Report – June 2007 – Honorable Robert J. Buckman, Jr.
- d. Financial Report – Motion to accept the report for June 2007

9. HEARINGS FROM CITIZENS

10. COMMITTEE REPORTS

- a. Planning & Zoning Committee, James W. Sumner, Chairperson
 - 1. Ordinance No. 2007-22, amending portions of Chapter 1167 (M-4 Light Industrial District) of the Blue Ash Code of Ordinances (second reading)
- b. Finance & Administration Committee, Rick Bryan, Chairperson
 - 1. Resolution No. 2007-10, adopting the 2008 Tax Budget
 - 2. Resolution No. 2007-2, resolution certifying maximum maturity of bonds associated with the Recreation Center expansion project
 - 3. Ordinance No. 2007-30, authorizing issuance of bonds associated with the Recreation Center expansion project
 - 4. Resolution No. 2007-11, authorizing filing of the 2006 CAFR with depositories
 - 5. Ordinance No. 2007-35, authorizing contract for public health services with Hamilton County
 - 6. Ordinance No. 2007-39, transferring funds
- c. Parks & Recreation Committee, Lee Czerwonka, Chairperson
 - 1. Ordinance No. 2007-36, awarding bids associated with the Recreation Center Expansion and Renovation Project (Phase I)
- d. Public Works Committee, Henry S. Stacey, Chairperson
 - 1. Ordinance No. 2007-37, awarding bid for 2007 Paving Program
 - 2. Ordinance No. 2007-38, authorizing agreement with ODOT related to a grant request for traffic signalization

11. MISCELLANEOUS BUSINESS

12. EXECUTIVE SESSION – Property Acquisition & Personnel Matter

13. ADJOURNMENT”

APPROVAL OF MINUTES

Councilman Bryan moved, Councilman Czerwonka seconded to approve the minutes of the regular meeting of June 14, 2007. A voice vote was taken. All members present voted yes. Motion carried.

COMMUNICATIONS

Communications to Council

The City has received two separate notices for the same premises – 4100 Hunt Road (Kroger store). The permits relate to the processing of a transfer of a contract liquor agency along with a carry out liquor license. They ask the City return both notification replies.

The police have reviewed both forms and have no objection to the transaction.

Permit #: 48888880945

TO: Kroger Limited Partnership I LP, DBA Kroger, 4100 Hunt Road, Blue Ash, OH 45236

Agency: 0508

Reports From Outside Agencies

There were no representatives from outside agencies present at the meeting.

Mayor's Report – June 2007

Fines	\$ 15,840.00
Bonds & BMV fees carried over	\$ 0.00
Interest Earned	\$6.68
Bonds collected	\$700.00
TOTAL RECEIPTS:	\$16,546.68
DISBURSEMENTS:	
To Blue Ash (fines/costs/interest/Expungements/forfeitures)	\$11,744.68
To the State of OH	\$4,102.00
Refund of Overpaid Fine.....	\$0
Bond Money applied	\$275.00
Bond Money returned	\$425.00
BMV.....	\$0
TOTAL DISBURSEMENTS	\$16,546.68
BALANCE IN BONDS:	\$0.00
Mayor's Court traffic citations	129
Mayor's Court criminal citations	20
Total Mayor's Court cases	149
June rev. from Mayor's Ct. Cases:.....	\$11,744.68

Financial Report – June 2007

Councilman Sumner moved, Councilman Bryan seconded to accept the Financial Report for June 2007 as submitted. A voice vote was taken. All members present voted yes. Motion carried.

CITY OF BLUE ASH FINANCIAL POSITION STATEMENT - MONTH ENDING JUNE 30, 2007

MONTH TO DATE	2006	2007
START OF MONTH FUND BALANCE: 6-1-07	\$13,429,232.85	\$16,397,673.19
Revenues:		
Earnings Tax Collections:	1,662,944.42	2,006,015.83
Debt Financing (long term)	0	0
Debt Financing (short term)	0	0
Other Revenue Received:	<u>723,408.14</u>	<u>823,975.32</u>
= Total Monthly Receipts	2,386,352.56	2,829,991.15
Expenditures:		
Bond Retirement	0	0
Short term debt refinancing	0	0
Other Expenditures:	<u>2,918,715.50</u>	<u>2,649,905.30</u>
= Total Monthly Expenditures:	<u>-2,918,715.50</u>	<u>-2,649,905.30</u>
ENDING FUND BALANCE: 6-30-07	12,896,869.91	16,577,759.04
YEAR TO DATE	2006	2007
START OF YEAR FUND BALANCE:	12,916,635.98	17,286,456.32
Revenues:		
Earnings Tax Collections:	11,507,754.32	13,689,283.58
Debt Financing (long term)	0	0
Debt Financing (short term)	0	0
Other Revenue Received:	<u>5,277,594.20</u>	<u>5,734,460.34</u>
= Total Monthly Receipts	16,785,348.52	19,423,743.92
Expenditures:		
Bond Retirement	0	0
Short term debt refinancing	0	0
Other Expenditures:	<u>16,805,114.59</u>	<u>20,132,441.20</u>
= Total YTD Expenditures:	<u>-16,805,114.59</u>	<u>-20,132,441.20</u>
YTD FUND BALANCE	12,896,869.91	16,577,759.04

100% of the fund balance was invested as of 6-30-07. Interest paid to date on matured investments: \$397,846.30. Receipt and expenditure figures do not include interfund transfers.

**BLUE ASH INCOME TAX DIVISION INCOME TAX RECEIPT SUMMARY
FOR MONTH ENDING JUNE 30, 2007**

MONTH-TO-DATE STATUS	2006	2007
Business Net Profit	441,183.78	287,401.09
Resident Net Profit	59,991.56	46,720.52
Non-Resident Net Profit	15,340.04	14,816.13
Subcontractor Net Profit	655.50	(933.43)
Net Profit Total	517,170.88	348,004.31
Withholding	1,135,601.26	1,634,450.22
Subcontractor Withholding	10,172.28	23,561.30
Withholding Total	1,145,773.54	1,658,011.52
Monthly Collection Totals	1,662,944.42	2,006,015.83
YEAR-TO-DATE STATUS	2006	2007
Business Net Profit	2,325,110.88	1,714,876.33
Resident Net Profit	493,730.34	577,557.06
Non-Resident Net Profit	139,413.09	154,498.05
Subcontractor Net Profit	17,695.76	44,622.29
Net Profit Total	2,975,950.07	2,491,553.73
Withholding	8,384,764.98	10,947,126.39
Subcontractor Withholding	147,039.27	250,603.46
Withholding Total	8,531,804.25	11,197,729.85
YTD Collection Totals	11,507,754.32	13,689,283.58
YTD Refund Totals	426,559.50	1,170,428.88

HEARINGS FROM CITIZENS

Mark McClanahan, speaking on behalf of Chris Hayes and Mark Rorie of GroundMasters (both who were unable to attend tonight’s meeting due to prior commitments), expressed concern with Ordinance No. 2007-22 on tonight’s agenda. He explained that GroundMasters is working to resolve the noise issues with the residents on Cornell Woods Drive, and believes that their proposed buffering plan will alleviate the situation. He expressed opposition to the 300-foot buffer requirement for M-4 properties (which abut residential properties) related to outside storage, and commented that they do consider this a taking of 62% of their property. He expressed concern with over-regulation and commented that, in his opinion, this requirement is not needed. They do not consider the grandfathering concept much assistance as the owner would not desire a “non-conforming” label on the property. He respectfully requested that Council delay passage of such legislation.

Jim Dyer, 5275 Myerdale Drive, expressed concern with the Lofts project on Towne Square Avenue as, in his opinion, it is beginning to look unkempt and improperly maintained. He urged the City to require the developer to level the lot and plant grass seed if development on the property is not expected soon.

Tom Gallenstein, 6801 Creek Road, expressed concern with the provisions of Ordinance No. 2007-22 being considered this evening. He owns M-4 properties along Creek Road that abut Brasher Avenue residential properties, and the outside storage restrictions are a concern to him. He leases these M-4 properties and has been in Blue Ash for 35 years. He believes the existing ordinance, prior to the proposed changes, has the power to assure harmony between residential and business properties. In addressing a question from Mr. Gallenstein, it was noted that the uses of his properties would not be affected unless current uses, regardless of the tenants, were discontinued for a consecutive year plus one day. He stressed the importance of such businesses to be able to utilize outside storage space. Deputy City Solicitor Bryan Pacheco confirmed that the “grandfathering” would be lost if outside storage within the 300 foot area was not done for one year and a day.

Betty Brooks, 9470 Blue Ash Road, asked about a park and ride lot that she recently read about in a local newspaper. Service Director Denny Albrinck commented that the article was most likely referring to the potential of extending the existing parking area near Cooper and Blue Ash Roads towards the Blue Ash/Hunt Road intersection. In addressing a question from Mrs. Brooks regarding the meaning of the “no strip malls” signage she has seen placed on

private properties recently, Councilwoman Stoller explained that the signs are in opposition to the potential development of a Target retail store near Plainfield and Ronald Reagan Highway. It was further explained that the City has not received plans for such a development and that the signs are being placed by mostly Sycamore Township residents based upon rumor of future development. In addressing a question from Councilman Bryan, Mr. Waltz explained that if and when development plans would be submitted to the City, since it involves a C-2 Planned Commercial district, Planning Commission would review the plans and make a recommendation to Council, and the plan would also go before Council. He reiterated that no plans have been submitted to the City, so further comment or conjecture would be of marginal value.

Hearings from Citizens was declared closed at approximately 7:15PM.

COMMITTEE REPORTS

Prior to the Council meeting, Council members received the following report describing agenda items:

"The following offers a brief description of the topics included on the July 12th Council Agenda:

4. and 10.b.1. Resolution No. 2007-10 - Adopting the 2008 Tax Budget

In keeping with the requirements of the State of Ohio and the Hamilton County Auditor's Office, it is necessary for the City of Blue Ash to prepare a Tax Budget for 2008.

A number of years ago, the outcome of this process would have been utilized to apportion how much of the State-funded Local Government Fund each of the entities within Hamilton County would receive. That allocation process is now governed by an alternative formula directing the distribution of these funds with no Tax Budget involvement. Hamilton County law does require the annual preparation of a Tax Budget, as the financial information contained within each budget is utilized by the Hamilton County Auditor's Office (Budget & Settlement Division) to assure that cities are planning appropriately for the upcoming year, and that the revenue and expenditure projections are within reasonable limits based upon the information available at the time the budget is prepared.

As required, a legal notice appeared on June 20th advertising the availability of the Tax Budget for public inspection, and a public hearing regarding the Tax Budget will occur towards the beginning of the July 12th Council meeting. Following acceptance of the Budget by City Council, certified copies must be delivered to the County no later than July 20th. Although this process is of some benefit to the City in defining the broad parameters anticipated for the upcoming year, the Tax Budget process does not serve as a substitute for the more detailed Proposed Budget effort in the fall.

A copy of the 2008 Tax Budget is included in Council packets. The format is determined by the County Auditor's Office, and includes actual performance or historical data for the accounting years 2005 and 2006. The estimates for 2007 generally are in conformance with the City's adopted 2007 Final Budget.

The Tax Budget reflects that the City will have an estimated \$7,468,623 General Fund carryover from the end of 2007 into 2008 – thus serving as a source of revenue in the upcoming year. (This total includes all general fund reserves.)

The 2008 Tax Budget reflects an estimated 3% increase for withholding and no increase for net profit, representing an overall increase of 2.3% (over budgeted 2007) in earnings tax collections. Most other revenue items were submitted utilizing information from the County and/or historical collection performance. Other General Fund revenue information is presented on page 3 of the Tax Budget.

Please direct questions regarding the Tax Budget to the Treasurer.

10.a.1. Ordinance No. 2007-22 - Amending portions of Chapter 1167 (M-4 Light Industrial District) of the Blue Ash Code of Ordinances (second reading)

As directed at the June 14th meeting (representing the public hearing and first reading of this ordinance), Ordinance No. 2007-22, regarding proposed changes to Chapter 1167 related to Chapter 1167 (M-4 Light Industrial District) is being presented for second reading.

10.b.2. Resolution No. 2007-2 - Resolution certifying maximum maturity of bonds associated with the Recreation Center expansion project

In order to provide the funding required for the multi-phase expansion and renovation of the Recreation Center, the need exists to issue general obligation bonds during 2007. A schedule was prepared some time ago, and the Finance and Treasurer's Offices have been working with bond counsel and the underwriters for some time to make certain that funding is in place when needed. Timing is important given the award later in this agenda of the first phase of that construction project.

The first legislation required for the issuance of general obligation debt is a resolution certifying the maximum maturity of the bonds. Essentially, a certification must be provided to City Council which compares the expected life of the bonds with the life of the improvement being financed. Clearly, the life of the improvements to the Recreation Center certainly exceed the maturity of the bonds (15 years), so everything should be in fine shape for this issue. The intent of this requirement is to make certain that cities do not issue long-term bonds (and thus commit future resources) to a project or an item that has a short-term benefit.

10.b.3. Ordinance No. 2007-30 - Authorizing issuance of bonds associated with the Recreation Center expansion project

Passage of this legislation by City Council authorizes the issuance of general obligation bonds for the Recreation Center project in a principal amount not to exceed \$9,975,000. The legislation permits issuance of the debt obligations; provides authorization for payment of the underwriter, bond counsel, and other fees associated with the issuance of the bonds; allows the purchase bond "insurance" if such an expenditure would prove beneficial over the long term; provides for the payment of the services associated with issuance of the Moody's rating; and describes the method by which the bonds are offered for sale and how the interest rate is determined. Frederick O. Kiel, the City's bond counsel for many years, prepared this legislation.

Although the legislation is dated July 12th, the underwriter, Fifth Third Securities, will not actually price or sell the bonds until during the last week of July. At that time, a Certificate of Determination will be prepared, which establishes the various maturities, principal amounts, and interest rates for the bonds and presents the net interest cost of the entire issue. We are anticipating that the net interest cost on this 15-year issue to be less than 5%. Closing of the bonds is expected to be after August 9, 2007.

As mentioned under the comment related to the transfer ordinance for this meeting, the City's proposed and final budgets were prepared expecting the issuance of a bond anticipation note during 2007 to initiate the financing on the Recreation Center project. However, it would seem that the most rational approach would be to provide for the borrowing of all of the funds expected to be needed for the Recreation Center project at this time, thus locking in a long-term "fixed" rate. This process avoids the potential of the City borrowing short-term on notes, having long-term interest rates continue to inch upward, and having to finance the long-term bonds at a higher rate and thus incur unnecessary interest expense in future years. The process of borrowing the entirety of the funding for the Recreation Center at this point might also permit borrowing much less on the future capital projects related to Issue 15.

We have been working with bond counsel and the underwriter in the preparation of a preliminary official statement, which will present the City's current financial situation and will also include the 2006 audited Comprehensive Annual Financial Report (CAFR). That information will be utilized for underwriting purposes, and also will form a part of the presentation being made to Moody's for a rating. That presentation is expected to occur on July 17th. As currently structured, the principal amount of \$9,975,000 will be repaid over a 14-year principal retirement span beginning in 2009. The annual principal payments are expected to be \$712,500, beginning in 2009 and continuing through the life of the issue. The bonds will be fully paid off in November 2022. The year 2008 will reflect a payment of interest only on the bonds.

The issuance of debt at this time is expected to provide for the entirety of the funding necessary for the various phases of the expansion and renovation of the Recreation Center. Upon closing, all accrued interest and any premium will be deposited in the City's General Bond Retirement Fund #331, with the principal amount of the bonds being deposited into Fund #446, which was created to track the revenues and expenses related to the Recreation Center project. All costs associated with the issuance of the debt, including rating fees, insurance costs, professional services from bond counsel and the underwriter, and the underwriting fee will all be paid out of the General Bond Retirement Fund without reliance upon proceeds of the bonds.

Please direct questions regarding this debt issue should be referred to the Treasurer.

10.b.4. Resolution No. 2007-11 - Authorizing filing of the 2006 CAFR with depositories

Resolution No. 2007-11 authorizes the Treasurer or Deputy Treasurer to file the 2006 Comprehensive Annual Financial Report (CAFR) with the Nationally Recognized Municipal Securities Information Repositories (NRMSIRs) and the State Information Depository for the State of Ohio (SID), as well as designated internet-based information databases.

Since the City issues certain municipal securities (bonds and notes), SEC Rule 15c2-12 requires the disclosure of current financial information to NRMSIRs and SID to facilitate the uniform availability of annual financial information and material event disclosures to secondary market participants (i.e., investors).

The trend at the national, regional, and local levels is toward greater standardization of governmental and municipal financial presentation and reporting, providing a more uniform basis of comparison and understanding relating to the operations of comparable organizations. These efforts have resulted in greater consistency in the preparation of CAFR's and official statements relating to the issuance of municipal securities. In the interest of continuing disclosure, it is appropriate that Council direct, via passage of this resolution, the Treasurer or Deputy Treasurer to file with the NRMSIRs and the Ohio SID a copy of the City's CAFR. Copies of the State Audit report are included along with a copy of the 2006 CAFR.

Please direct any questions regarding this resolution to the Treasurer.

10.b.5. Ordinance No. 2007-35 - Authorizing contract for public health services with Hamilton County

Ordinance No. 2007-35 authorizes the City Manager to renew a contractual agreement with the Health District Advisory Council of the Hamilton County, Ohio, in order to provide for public health services through the Hamilton County Board of Health for calendar year 2008 for an amount not to exceed \$42,672.45. This figure represents an approximate \$400 DECREASE from the previous year's expense. The City of Blue Ash is one of twelve contracting cities that work through the Board of Health in addition to all villages and townships. The City of Blue Ash is annually assessed based upon a formula that takes into consideration the overall budget of the district and property valuation of each jurisdiction. Over the last 20 years, the City has experienced eleven annual decreases in the assessment and nine increases.

The City of Blue Ash has been satisfied with the services offered by the Hamilton County Board of Health and the City Administration recommends renewal of the contract. The City is required by law to provide public health services, and this contract enables the most cost-effective means as of this date for providing these services and satisfying the State of Ohio requirements. Included within Council's packets is a letter from the Commissioner detailing service examples specifically provided to Blue Ash based upon their 2006 activity.

Please direct any questions regarding the contract and administration of services to the City Manager.

10.b.6. Ordinance No. 2007-39 – Transferring funds

The need exists at this time to address several modifications to the budgetary appropriations for 2007. An attachment has been prepared itemizing the various changes, and we will address them by topic so as to avoid any confusion.

The most significant adjustment in this transfer relates to the City's General Bond Retirement Fund #331 and the Recreation Center Construction Fund #446. The Final Budget was prepared based upon the issuance of a bond anticipation note during 2007 which would provide proceeds of \$3,500,000 in the Recreation Center Construction Fund #446 to be used for design, engineering, and actual initial construction costs. Transfers from the General Fund (using Issue 15 money) in the amount of \$410,000 were also shown into that fund to accommodate costs that would arise prior to the issuance of the note in early fall. Funding was provided in the General Bond Retirement Fund #331 to provide for the costs associated for issuing that note.

As the plans and the timing firmed up on the Recreation Center Project, it became evident that there were benefits available to the City through the issuance of bonds instead of notes during 2007. Plans have been finalized for the issuance of general obligation bonds for this project in the amount of \$9,975,000, and we need to modify the appropriations at this time to account for that change in direction.

All of the items listed on the attachment identified with a prefix of # "331" or # "446," are associated with this shift. Adjustments include a reduction in proceeds from the sale of notes, or a replacement of that revenue, with proceeds from the sale of general obligation bonds. Also addressed is the need to provide funding within the General Bond Retirement Fund to pay the cost associated with issuance of the bond (underwriting costs, Moody's, OMAC, etc.), with those resources being secured through the appropriation of available fund balance. The additional revenue from the bonds is intended to be partially appropriated as construction expenditure in Fund #446 relating to the Recreation Center Project.

The Blue Ash Fire Department serves as an administrative agency for an activity known as the Arson Task Force Fund #284. The need exists to appropriate (donation) revenue in that fund, and also to provide for a capital expenditure from that area in the near future. As a result, the attachment reflects revenue and expenditure adjustments in Fund #284 involving appropriation of available fund balance and a donation as revenue, and the corresponding expenditure to address the needs of this area.

Within the General Fund, the need exists to provide for the appropriation of a prior year excess in the amount of \$7,300. These funds are currently unappropriated as a 2006 revenue relating to the closure of a purchase order from the Fire Department from that year. When a purchase order is issued in a given year, and then it is either closed, voided, or only partially paid, any balance remaining thereon falls back into the unappropriated General Fund Balance. This transfer item will allow the Fire Department to move ahead with rust repairs to a vehicle in 2007, using funds set aside on the 2006 purchase order but not expended.

Please direct questions regarding this transfer ordinance to the Treasurer.

10.c.1. Ordinance No. 2007-36 - Awarding bids associated with the Recreation Center Expansion and Renovation Project (Phase I)

Bids were recently solicited for the first phase of the Recreation Center expansion and renovation project. This phase involves construction of the new gymnasium, behind the existing newer gymnasium.

This project bidding opportunity was advertised in the June 13th *Northeast Suburban Life*, and bids were publicly opened on July 9th. The project involves eleven categories of work, as summarized below, and more than 70 sets of plans/specifications were obtained by various contractors. A total of 43 bids were received.

A copy of the bid summary is attached to the ordinance. After extensive review of the bids received, the project design team recommends the bid awards described below (a copy of the bid summary is also attached to the ordinance):

CATEGORY OF WORK #	CATEGORY DESCRIPTION / TRADE	RECOMMENDED BID AWARD
1	Site Demolition and Excavation	Auxier Trucking & Excavating
2	Concrete	Mark Spaulding Construction
3	Masonry	J. Construction
4	General Trades	Mark Spaulding Construction
5	Gymnasium Equipment & Dividers	Knight Athletics
6	Metal Building Systems	Mark Spaulding Construction
7	Painting	Lehn Painting
8	Site Utilities/Plumbing	Kenneth R. Rogers Plumbing & Heating
9	Fire Protection	A-1 Sprinkler
10	HVAC/Mechanical	Peck Hannaford + Briggs
11	Electrical	Volpenhein Brothers Electric

If any Council member has questions regarding the project or bid process, please feel free to contact

Project Coordinator Dan Weber at 745-8664 or Parks & Recreation Director Chuck Funk.

10.d.1. Ordinance No. 2007-37 - Awarding bid for 2007 Paving Program

The 2007 Street Program will consist of repaving the following areas: Cooper Woods Court, limited areas of Cooper Road and Carpenter's Run entrance near Cooper Road, Glendale Milford from Plainfield to east of McKinley, and the Hunt and Plainfield Road intersection (Hunt from the bowling alley to Krogers west exit and Plainfield from the Ronald Reagan Highway bridge to Peppermill). The work at Plainfield and Hunt will involve some lane configuration changes and the necessary traffic signal changes.

Plans and specs for this year's program were developed by CDS. The project was advertised in the *Northeast Suburban Life* on Wednesday, June 20, 2007 and bids were publicly opened and read aloud on Thursday, July 5. Bids were received from Barrett Paving Materials Inc. and the John R. Jurgensen Company, both of which met all requirements. The bids were reviewed by the Service Director and staff. It is recommended that the award be given to Barrett Paving Materials Inc.

Please direct questions regarding this ordinance to the Service Director.

10.d.2. Ordinance No. 2007-38 - Authorizing agreement with ODOT related to a grant request for traffic signalization

In 2006, the City of Blue Ash submitted a grant application to the OKI Regional Planning Commission for an ODOT-CM/AQ grant. This grant would provide monies to improve the traffic signals in the downtown area for the purpose of upgrading the signalization infrastructure and the system itself so as to reduce traffic congestion and thus improve air quality in the area. The project as proposed was estimated to cost \$638,397.50. The City pledged 30% of this cost (10% more than the minimum required) in order to get a more favorable response to our application. Consequently, the local match will be \$191,519.25 and the grant will total \$446,878.25.

The monies for this project will not be available until 2009. Final engineering and design will take place in 2007 and 2008. Hopefully, this time line will coincide well with our plans for downtown streetscaping and revitalization.

Any questions concerning this ordinance should be directed to the Service Director."

Planning & Zoning Committee, James W. Sumner, Chairperson

Councilman Sumner asked the Clerk of Council to read Ordinance No. 2007-22 by title only (it having been read in its entirety during the public hearing process at the June 14, 2007 meeting).

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2007-22

AMENDING PORTIONS OF CHAPTER 1167 (M-4 LIGHT INDUSTRIAL DISTRICT) OF THE BLUE ASH CODE OF ORDINANCES, INCLUDING AMENDMENTS TO SECTION 1167.01(a)(15) RELATING TO PERMITTED USES AND THE ADDITION OF SECTION 1167.08(p) RELATING TO SITE DESIGN REQUIREMENTS; AND DECLARING AN EMERGENCY

Councilman Sumner moved, Councilman Bryan seconded to adopt Ordinance No. 2007-22. Councilman Sumner explained that this ordinance is not being passed as an emergency ordinance. Mr. Waltz commented that representatives from GroundMasters are scheduled to meet with Assistant Community Development Director Dan Johnson next week to review the proposed buffering plan (referred to earlier in the meeting by Mr. McClanahan) which GroundMasters believes will alleviate some of the noise issues. Councilman Sumner expressed continued concern with this ordinance in that he believes the previous changes to Chapter 509 regarding noise will assist residents with those issues. He believes the 300-foot requirement associated with outside storage will create "dead zones" behind many properties and that, in general, this legislation represents over regulation based upon noise issues

experienced at one facility in the City. Councilwoman Stoller agreed that in her opinion, the changes to Chapter 509 already passed will help resolve the noise problem. Deputy Solicitor Bryan Pacheco commented that in terms of current use, this ordinance has no impact on current businesses.

There being no further discussion, the Clerk called the roll for adoption of the ordinance. Councilpersons Weber, Stacey, Bryan, and Buckman voted yes. Councilpersons Stoller and Sumner voted no. Councilman Czerwonka abstained. Four yeses; two no's; one abstention. Ordinance No. 2007-22 passed; however, not as an emergency.

Finance & Administration Committee, Rick Bryan, Chairperson

Councilman Bryan asked the Clerk to read Resolution No. 2007-10 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2007-10

A RESOLUTION ADOPTING A 2008 TAX BUDGET

Councilman Bryan moved, Councilman Czerwonka seconded to adopt Resolution No. 2007-10. There being no discussion, the Clerk called the roll. Councilpersons Sumner, Weber, Stacey, Czerwonka, Bryan, Stoller, and Mayor Buckman voted yes. Seven yeses. Resolution No. 2007-10 passed.

Councilman Bryan asked the Clerk to read Resolution No. 2007-2 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2007-2

RESOLUTION REQUESTING FISCAL OFFICER TO CERTIFY AS TO ESTIMATED MAXIMUM MATURITY OF \$9,975,000 OF BONDS

Councilman Bryan moved, Councilwoman Stoller seconded to adopt Resolution No. 2007-2. There being no discussion, the Clerk called the roll. Councilpersons Weber, Stacey, Czerwonka, Bryan, Stoller, Sumner, and Mayor Buckman voted yes. Seven yeses. Resolution No. 2007-2 passed.

Councilman Bryan asked the Clerk to read Ordinance No. 2007-30 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2007-30

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF \$9,975,000 OF BONDS OF THE CITY OF BLUE ASH, OHIO, FOR THE PURPOSE OF PAYING THE COSTS OF EXPANDING AND IMPROVING THE BLUE ASH RECREATION CENTER; AND DECLARING AN EMERGENCY

Councilman Bryan moved, Councilman Weber seconded to suspend the rules of Council requiring a second reading of the ordinance. The Clerk called the roll. Councilpersons Stacey, Czerwonka, Bryan, Stoller, Sumner, Weber, and Mayor Buckman voted yes. Seven yeses. Motion carried.

Councilman Bryan moved, Councilman Stacey seconded to adopt Ordinance No. 2007-30. There being no discussion, the Clerk called the roll. Councilpersons Czerwonka, Bryan, Stoller, Sumner, Weber, Stacey, and Mayor Buckman voted yes. Seven yeses. Ordinance

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No. 2007-30 passed.

Councilman Bryan asked the Clerk to read Resolution No. 2007-11 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2007-11

AUTHORIZING THE TREASURER OR DEPUTY TREASURER TO FILE THE 2006 COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) WITH THE NATIONALLY RECOGNIZED MUNICIPAL SECURITIES INFORMATION REPOSITORIES (NRMSIRs) AND THE STATE INFORMATION DEPOSITORY FOR THE STATE OF OHIO (SID) IN THE FORM BEFORE CITY COUNCIL

Councilman Bryan moved, Councilwoman Stoller seconded to adopt Resolution No. 2007-11. There being no discussion, the Clerk called the roll. Councilpersons Bryan, Stoller, Sumner, Weber, Stacey, Czerwonka, and Mayor Buckman voted yes. Seven yeases. Resolution No. 2007-11 passed.

Councilman Bryan asked the Clerk to read Ordinance No. 2007-35 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2007-35

AUTHORIZING THE CITY MANAGER TO RENEW A CONTRACT WITH THE DISTRICT ADVISORY COUNCIL OF THE HAMILTON COUNTY, OHIO, GENERAL HEALTH DISTRICT FOR PUBLIC HEALTH SERVICES FOR CALENDAR YEAR 2008 FOR AN AMOUNT NOT TO EXCEED \$42,672.45; AND DECLARING AN EMERGENCY

Councilman Bryan moved, Councilman Stacey seconded to suspend the rules of Council requiring a second reading of the ordinance. The Clerk called the roll. Councilpersons Stoller, Sumner, Weber, Stacey, Czerwonka, Bryan, and Mayor Buckman voted yes. Seven yeases. Motion carried.

Councilman Bryan moved, Councilman Stacey seconded to adopt Ordinance No. 2007-35. There being no discussion, the Clerk called the roll. Councilpersons Sumner, Weber, Stacey, Czerwonka, Bryan, Stoller, and Mayor Buckman voted yes. Seven yeases. Ordinance No. 2007-35 passed.

Councilman Bryan asked the Clerk to read Ordinance No. 2007-39 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2007-39

PROVIDING FOR THE TRANSFER OF FUNDS AND AMENDMENTS WITHIN THE ANNUAL APPROPRIATION ORDINANCE NO. 2007-3 FOR THE YEAR 2007 (AS SHOWN ON ATTACHMENT); AND DECLARING AN EMERGENCY

Councilman Bryan moved, Councilwoman Stoller seconded to suspend the rules of Council requiring a second reading of the ordinance. The Clerk called the roll. Councilpersons Weber, Stacey, Czerwonka, Bryan, Stoller, Sumner, and Mayor Buckman voted yes. Seven yeases. Motion carried.

Councilman Bryan moved, Councilwoman Stoller seconded to adopt Ordinance No. 2007-39. There being no discussion, the Clerk called the roll. Councilpersons Stacey, Czerwonka, Bryan, Stoller, Sumner, Weber, and Mayor Buckman voted yes. Seven yeases. Ordinance No. 2007-39 passed.

Parks & Recreation Committee, Lee Czerwonka, Chairperson

Councilman Czerwonka asked the Clerk to read Ordinance No. 2007-36 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2007-36

AUTHORIZING THE CITY MANAGER TO ENTER INTO CONTRACTS FOR VARIOUS CATEGORIES OF WORK ASSOCIATED WITH PHASE I OF THE RECREATION CENTER EXPANSION AND RENOVATION PROJECT FOR THE AMOUNTS AND UNIT PRICES (IF ANY) AS SHOWN ON THE ATTACHED BID SUMMARY; AND DECLARING AN EMERGENCY

Councilman Czerwonka moved, Councilman Bryan seconded to suspend the rules of Council requiring a second reading of the ordinance. The Clerk called the roll. Councilpersons Czerwonka, Bryan, Stoller, Sumner, Weber, Stacey, and Mayor Buckman voted yes. Seven yeases. Motion carried.

Councilman Czerwonka moved, Councilwoman Stoller seconded to adopt Ordinance No. 2007-36. There being no discussion, the Clerk called the roll. Councilpersons Bryan, Stoller, Sumner, Weber, Stacey, Czerwonka, and Mayor Buckman voted yes. Seven yeases. Ordinance No. 2007-36 passed.

Public Works Committee, Henry S. Stacey, Chairperson

Councilman Stacey asked the Clerk to read Ordinance No. 2007-37 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2007-37

AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR THE 2007 STREET PROGRAM FOR THE UNIT PRICES AS SHOWN ON THE ATTACHED BID SUMMARY; AND DECLARING AN EMERGENCY

Councilman Stacey moved, Councilman Bryan seconded to suspend the rules of Council requiring a second reading of the ordinance. The Clerk called the roll. Councilpersons Stoller, Sumner, Weber, Stacey, Czerwonka, Bryan, and Mayor Buckman voted yes. Seven yeases. Motion carried.

Councilman Stacey moved, Councilman Bryan seconded to adopt Ordinance No. 2007-37. There being no discussion, the Clerk called the roll. Councilpersons Sumner, Weber, Stacey, Czerwonka, Bryan, Stoller, and Mayor Buckman voted yes. Seven yeases. Ordinance No. 2007-37 passed.

The Clerk was asked to read Ordinance No. 2007-38 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2007-38

AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR A CM/AQ (CONGESTION MANAGEMENT/ AIR QUALITY) GRANT; AND DECLARING AN EMERGENCY

Councilman Stacey moved, Councilman Bryan seconded to suspend the rules of Council requiring a second reading of the ordinance. The Clerk called the roll. Councilpersons Weber, Stacey, Czerwonka, Bryan, Stoller, Sumner, and Mayor Buckman voted yes. Seven yeses. Motion carried.

Councilman Stacey moved, Councilwoman Stoller seconded to adopt Ordinance No. 2007-38. In addressing questions from Councilmembers Stoller and Stacey, Service Director Denny Albrinck explained that the grant relates only to signals in downtown, including at Cooper and Hunt Roads. The City has received the grant award, however, the funds are not available until 2009. There being no further discussion, the Clerk called the roll. Councilpersons Stacey, Czerwonka, Bryan, Stoller, Sumner, Weber, and Mayor Buckman voted yes. Seven yeses. Ordinance No. 2007-38 passed.

MISCELLANEOUS BUSINESS

City Manager David Waltz commented that he has just completed his first year as City Manager and thanked Council for the opportunity and for a great and enjoyable first year as City Manager. He hopes there are many more to come.

In addressing a question from Councilman Weber regarding work being completed on Hunt Road, Service Director Denny Albrinck commented that the walk/bike path planned to be reconstructed between Bluewing Terrace and the Kroger area is the City's project. The current work underway, replacement of a water main, in the area is being done by Greater Cincinnati Water Works (GCWW). GCWW will be digging underneath the existing path in order to complete their project, and will be restoring the path with gravel and a thin layer of asphalt on top. Afterwards, the City will be moving forward with the path reconstruction project, including permanent restoration, hopefully to be completed before the end of the year.

Councilman Stacey commented that he has attended two of the last three Friday evening Concerts on the Square, and noted their popularity. He expressed concern with what he believes is excessive "playing" upon the Veterans Memorial and commented that, in his opinion, this could be viewed as somewhat disrespectful to the Memorial. He suggested that additional signage, or perhaps soft patrol, of the area to keep children from using the sculptures as playground equipment would be appropriate. After some discussion, it was agreed that the City would further consider the ideas suggested.

Councilman Czerwonka complimented the City on the July 4th event and its huge attendance and success, despite weather complications. He also complimented the staff on the attractive flowers and wall pots placed in downtown and upon the recent award received for the BlueAshAdvance website.

In addressing a question from Mayor Buckman regarding the upcoming GCWW project in his Floral/Edward/etc. neighborhood, Mr. Albrinck commented that it would be his presumption that the connections would be made at the street. Mayor Buckman also complimented the staff on a successful July 4th event.

EXECUTIVE SESSION

After all items on the agenda were acted upon, Councilman Sumner moved, Councilman Stacey seconded to convene an Executive Session to discuss matters pertaining to property acquisition and personnel. The Clerk called the roll. Councilpersons Czerwonka, Bryan, Stoller, Sumner, Weber, Stacey, and Mayor Buckman voted yes. Seven yeases. Motion carried.

After matters pertaining to property acquisition and personnel were discussed, Councilman Bryan moved, Councilman Sumner seconded to convene to the regular meeting. A voice vote was taken. All Council members voted yes. Motion carried.

ADJOURNMENT

All items on the agenda having been acted upon, Councilman Czerwonka moved, Councilman Bryan seconded to adjourn the meeting. A voice vote was taken. All members voted yes. The Council meeting was adjourned at approximately 8:15PM.

Robert J. Buckman, Jr., Mayor

Jamie K. Eifert, Clerk of Council

MINUTES WRITTEN BY:

Susan K. Bennett, Deputy Clerk of Council